

REMARKS

Claims 9, 12, and 20-22 are pending in this application.

The Requirement for Election of Species

In Applicants' "Response to Restriction Requirement" filed on April 4, 2007, Group III claims 9-12 (drawn to a method for reducing allergy by administering lactic acid bacteria) were elected for further prosecution on the merits. In that Response, new claims 20-22 were also added.

In the latest official action mailed June 8, 2007, the Examiner required election of one of the bacterial species recited in claims 20-22. To be fully responsive to this requirement for election of species, Applicants hereby elect *Lactobacillus acidophilus* strain CL92 for further prosecution. Claims 9, 12, and 21 read on this species, with claims 9 and 12 being generic.

Applicants reserve the right to file one or more divisional applications for the non-elected subject matter at any time before the issuance of a patent in this application.

It is believed that no additional fees are required for this submission. However, should the U.S. Patent and Trademark Office determine that any additional fee is required, or that any refund is owed for this application, the Commissioner is hereby authorized and requested to charge any deficiency and/or credit any refund owed to our Deposit Account No. 04-0100.

CONCLUSION

In view of the above remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining that the Examiner believes can be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: July 2, 2007

Respectfully submitted,

By 

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